

107TH CONGRESS  
2D SESSION

# H. R. 5444

To amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2002

Mr. HAYWORTH (for himself and Mr. POMEROY) introduced the following bill;  
which was referred to the Committee on Ways and Means

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## A BILL

To amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CERTAIN FUNERAL AND BURIAL ARRANGE-**  
4       **MENTS NOT CONSIDERED RESOURCES.**

5       Section 1613(e)(3) of the Social Security Act (42  
6       U.S.C. 1382b(e)(3)) is amended by adding at the end the  
7       following:

8       “(C) If—

1           “(i) an individual or his spouse enters into an  
2           irrevocable contract with a provider of funeral goods  
3           and services for a funeral;

4           “(ii) the individual or his spouse funds the con-  
5           tract by paying for the goods and services; and

6           “(iii)(I) the funeral provider subsequently  
7           places the funds in a trust or in escrow; or

8           “(II) the individual or his spouse establishes an  
9           irrevocable trust, and the funeral provider is the  
10          named beneficiary of the trust,

11       then the trust or escrow shall not be considered a resource  
12       available to the individual.”.

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